IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO : 23751 of 2004

Between:

Penguin Textiles Workers Union, Uppal Mandal, Ranga Reddy Dist, Hyderabad-39.rep. by its E. Chandraiah, General Secretary.

..... PETITIONER

AND

1 Regional Provident Fund Commissioner, Barkapura, A.P., Hyderabad-27.
2 Sh. N.R. Chettair, Executive Director, M/s. Penguin Textile Ltd., 131, Nungabakkam Road, Chennai-600 034.
3 SH. Gautam Chand Jain Co-Promoter, 140, P.G. Road, Secunderabad-500 003.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate writ or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in issuing Proclamation Notice dt. 22.11.2004 and auction of the Movable properties of the Penguin Textile Ltd., as specified in the notice for the proclamation of sale and the publication notice for auction as wholly illegal, arbitrary and consequently forbear the Respondent NO.1 from taking any action under Section 8(B)(1) (a) of the Employees A.P. Provident Fund and Misc. Provisions Act, 1952 and Restrain the Respondent No.1 from taking any further coercive action arising with respect to the dues of Rs.46,64,719/- as mentioned, in the notice for proclamation of sale dt.22.11.2004.

Counsel for the Petitioner: MR.CHALLA.GUNARANJAN

Counsel for the Respondent No.: MR.R.N.REDDY

The Court made the following:

-

ORDER:

No representation for the petitioner. Counsel for the respondents is ready.

Hence, the writ petition is dismissed for default. No costs.

_____

(C.Y.SOMAYAJULU, J)

Dated April 29, 2005.

YCR

To

1. The Regional Provident Fund Commissioner, Barkapura, A.P., Hyderabad-27.

2. 2 C.D. copies.